

REMARKS/ARGUMENTS

The Patent Office is requiring restriction in the present application to one of the following inventions:

- Group I: Claims 1-21, drawn to a base material and implant material;
- Group II: Claims 22-24, drawn to an implant material production method;
- Group III: Claims 25-27, drawn to an implant material production method; and
- Group IV: Claim 28, drawn to an implant material production method.

Applicants have elected to prosecute the product Claims of Group I, i.e., Claims 1-21.

Applicants respectfully traverse the Restriction Requirement on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctness between the identified group or that a burden exists in searching all of the claims.

The M.P.E.P. §803 states as follows:

“If a search and examination of an entire application can be made without a serious burden, the Examiners must examine it on its merits even though it included claims to distinct and independent inventions.”

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain a Restriction Requirement.

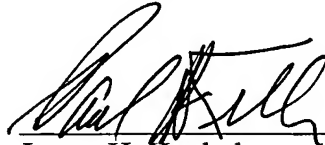
Withdrawal of the Restriction Requirement is respectfully requested.

Application No. 10/766,876  
Response to Restriction Requirement  
Mailed June 16, 2006

Applicants respectfully submit that the above-identified application is now in  
condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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